

to his desk and began to reorganize with him. Senator Bristow of Kansas, Senator La Follette, Senator Cummins and others of the more radical insurgents looked grim, while the Democrats also were up in arms over the move that the Republican leaders had made to checkmate them. Senator Dixon, it seemed, had made a blunder in the modification that he proposed, and after Mr. Aldrich and Mr. Bristow had talked with him for a moment, he believed that the Senate take a recess for fifteen minutes.

Senator Bacon of Georgia and half a dozen other Senators on this Democratic side were on their feet protesting against this move and calling for action on the Dixon amendment, but they were ruled down and a recess was voted.

Senator Dixon hurried with Senator Aldrich and Senator Elkins and one or two others out into one of the committee rooms, where they undertook a rush job in whipping the compromise amendment into shape. Senator Dixon appeared back at his seat in fifteen minutes and again moved a recess of half an hour. In the meantime, however, members on the Democratic side, notably Senator Bacon, had been patting up and down bringing their feet on desks and declaring that they would see to it that the Republican amendment should not obtain unanimous consent of the Senate again this session for a vote on any measure.

They said that the unanimous consent had been given for a vote on the original Dixon amendment, but now Senator Aldrich and his followers had thrown into the Senate a brand new proposition, without time for consideration or debate.

The insurgents also were wrathful. Senator Bristow, who had just been stamped his foot and tried to take revenge on a big wad of paper by hurling it on the floor. Senator La Follette and Senator Cummins, who were sitting at the head of the Senate, voted another recess of half an hour, and this time the patchwork on the amendment was done right before having a finger in it.

It was one of the strangest sights seen in the Senate in many a day. Senator Elkins and Senator Aldrich hurried over to Senator Bacon and tried to appease him. Senator Bacon waved his fists in the air and refused to be soothed. Finally, however, Senator Smoot poked him by the coat sleeve and led him over to Senator Fletcher's desk on the Democratic side. Senator Smoot sat at the desk with fragments of amendments spread out before him. Bristow, who by this time had come to the conclusion that the radical insurgents ought to have something to do with fixing up the amendment, hurried over with a pot of ink. Senator Elkins stood leaning over the desk and calmly directed the proceedings, while about a dozen or fifteen Senators, Democrats, Republicans, regulars and insurgents, crowded around Senator Bacon, offering suggestions and trying to get a peep at the cutting and pasting proceeding.

Senator Dixon finally emerged from the group with the patchwork compromise amendment and carried it to the desk. There was further opposition on the part of the Democrats to a vote on this substitute, but they were overruled. The amendment was adopted by a vote of 52 to 10. Bourne of Oregon being practically the only insurgent who voted against it. On the other hand, several of the old-time Republican regulars, such as Frye of Maine, Gallinger of New Hampshire and Bulkeley of Connecticut, voted against it. Several Democrats refused to vote at all, among them being Gore of Oklahoma, Hughes of Colorado and the late Mr. Nelson.

There was no significance in a division on the vote. After the adoption of the Dixon-Payne-Smoot substitute some of the Senators undertook to express their views on its merits. Senator Bacon of Georgia said that Senator Aldrich had accepted the amendment rather than face defeat. He added that the substitute amendment agreed to was not in accordance with the views expressed in the Senate by Mr. Aldrich and by the Senator from West Virginia.

"The Senator from Georgia is happy, is he not?" queried Senator Elkins. "He is," replied the Georgian. "Well, I want to say to the Senator that we are just as happy on this side," replied Senator Elkins. "I am glad that Senators on that side are so happy," said Senator Bacon. "It only goes to show with what ease and celerity they can change front and put on new colors."

Several Senators were asking for recognition, but Senator Aldrich caught the eye of the Vice-President. "He who laughs last laughs best," remarked the Senator from Rhode Island mysteriously. "I know what the Senator from Rhode Island means," said Senator Bacon. "The Senator refers to the fact that this amendment has got to go to conference and that it will take care of the matter."

"I do not mean anything of the kind," retorted Senator Aldrich. "This amendment can be defended from principle, much as I have advocated on the floor of the Senate in discussing the long and short haul."

"This is a great day for the railroads," said Senator Heyburn of Idaho a moment later. "The railroads have got exactly what they want as the result of this coalition here to-day. In this hour of madness men have been led far afield from the honest intentions in their hearts. For the reason there has been great rejoicing among the railroads as the result of these proceedings here to-day. Many Senators here believe that railroads should not be allowed to charge more for a short haul for a long haul, but they have not indicated as much by their votes. It is my belief that the present rates will remain in effect as long as the commission exists."

Senator Heyburn referred to the hybrid amendment as "a surreptitious document."

The amendment as adopted provides that it shall be unlawful for any interstate common carrier to charge more for a shorter haul than for a longer distance over the same route when the shorter haul is included in the longer or to charge any greater compensation as a through rate than the aggregate of the local rates. There is this proviso, however:

That the Interstate Commerce Commission may from time to time, upon application, ascertain that the circumstances or conditions of the longer haul are dissimilar to the circumstances or conditions of the shorter haul, whether they result from competition by water or rail, then it may authorize the common carrier to charge less for the longer than for the shorter distances for the transportation of passengers or property, but in no event shall the authority be granted unless the commission is satisfied that all the rates involved are just and reasonable and the rates its discriminatory nor unduly preferential or prejudicial.

The present law provides that it shall be unlawful for any interstate common carrier to charge more for a shorter haul for a longer haul "under substantially similar circumstances and conditions."

It has been contended that these six words practically nullify the law and the controversy has hinged largely over these words. They are omitted from the amendment adopted, but it is pointed out that the law in the new amendment gives the Interstate Commerce Commission ample authority for taking into account water competition, which is given as the basis of most reductions in long haul rates.

**Preliminary Steps Toward the Maine's Removal.**

WASHINGTON, May 13.—The State Department has opened negotiations with the Cuban Government for permission to remove the wreck of the battleship Maine from Havana harbor.

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## BALLINGER CROSS-EXAMINED.

Schwartz Thinks Land Office and Forest Service Should Be in Same Department.

WASHINGTON, May 13.—In closing his cross-examination of Secretary Ballinger to-day, George W. Pepper, attorney for Gifford Pinchot, placed in evidence a copy of the Montgomery Times published at Mount Ida, Ark., containing a letter from Don C. Carr, private secretary to Mr. Ballinger, printed as an advertisement, asking for letters and affidavits in criticism of the forestry service. This letter, which was addressed to the editor of the paper, was written on January 13 last, stated in part:

"It is suggested that as Congress will probably at an early date make an examination of the management of the forestry service, you might with propriety secure such affidavits of the character referred to in your editorial, and submit them to the committee having charge of this investigation, of which the Hon. Knute Nelson, United States Senator, will probably be chairman."

Mr. Pepper introduced this in answer to the statement of Chairman Nelson that the committee had received many complaints against the forestry service, it being his purpose to show how these complaints had originated. Secretary Ballinger in response to Mr. Pepper's questions said that he had not known anything about Carr's letter, and that if he himself had written the editorial he could not recall the letter.

H. H. Schwartz, chief of the field division of the General Land Office, whose home is at Helena, Mont., followed Secretary Ballinger on the stand for the defense. Throughout the afternoon on direct examination by Mr. Vettesse Mr. Schwartz told the story of land office developments in connection with the Alaskan coal claims, substantiating the testimony of Mr. Ballinger. He testified that he prepared the record of the evidence that was submitted to President Taft and declared that it was correct except in one or two details.

In the course of his testimony Mr. Schwartz stated that his experience in the land office had forced him to the conclusion that the General Land Office, which is in the Interior Department, and the forestry service, which is in the Agriculture Department, should be in the same department, "under some one who can put an end to all conflicts."

## MR. TAFT GOING TO ADA, O., And Then He Thinks He May Go Further. He Tells Mr. Keifer.

WASHINGTON, May 13.—President Taft may make one trip of considerable length before Congress adjourns. Some time ago the President promised to go to Ada, Okla., on June 3, and to extend the journey to Monroe, Mich., and to Detroit. To-day he told Representative Keifer of Ohio that he would think about accepting an invitation to attend a meeting of Buckeye bankers at Columbus on June 6.

## G. A. R. Protest Against Jeff Davis Statue in Washington.

WASHINGTON, May 13.—The possibility of the arrival of a statue of the late President of the Confederacy, Jefferson Davis in Washington, as the contribution of Mississippi to Statuary Hall, has aroused the ire of William H. Gibson Post, No. 13 at Tiffin, Ohio. To-day Senator Burton of Ohio presented a petition from that organization protesting not only against the presence of a statue of Jefferson Davis at the national Capitol, but against the acceptance of the Robert E. Lee statue as well.

## Resignation From the Army.

WASHINGTON, May 13.—First Lieut. Fredric E. Humphreys, of the Engineer Corps, has resigned from the Army, to take effect on August 1 next. His resignation has been accepted by President Taft. Lieut. Humphreys was one of the officers trained by Wilbur Wright to fly in the art of operating the military airplane at College Park, Md. He entered the army in 1906 upon his graduation from West Point. He was born in New Jersey and appointed to the Army from New York. He is about 27 years old.

## Taft Likely to Trim a Bill.

WASHINGTON, May 13.—If Congress does not lop off a couple of millions from the public buildings bill, which now carries about \$18,000,000, President Taft may act. The President thinks that \$16,000,000 is plenty for this measure and is not a bit inclined to let a bill with \$3,000,000 more than he deems necessary go through if he can prevent it.

## Movements of Naval Vessels.

WASHINGTON, May 13.—Following are the movements of naval vessels: The gunboat Vicksburg has arrived at San Francisco and the torpedo boats Reid and Flusser have arrived at Bath.

The cruiser Chester has sailed from Montevideo for Buenos Ayres, the cruiser Salem from Hampton Roads for Tampa, Fla.

## Correct Dress for Men

ALFRED BENJAMIN & Co's Tailor-made clothes

We fit many who have hitherto thought the tailor indispensable.

If we cannot fit you, yours is an unusual case. Ready-to-wear garments only.

Tan Mackintoshes at \$5—we would not sell a raincoat at \$5 if we did not know it to be as stylish and dependable as many sold elsewhere at double the price.

George G. Benjamin

Broadway, Cor. 36 St.

American 3d at Capri.

Special Cable Dispatch to THE SUN.

NAPLES, May 13.—Charles Coleman of Boston and New York is reported to be seriously ill at Capri.

## ROOSEVELT LIKE THE KAISER

SO MRS. ROOSEVELT SAYS AFTER SEEING THEM TOGETHER.

Short Speech to Reichstag Peace Committee Means 1 Topical Idealistic Column Confers With Frank H. Kellogg Quiet Ending of Berlin Visit.

Special Cable Dispatch to THE SUN.  
BERLIN, May 13.—Col. Roosevelt's visit here is drawing to a quiet, even a depressing, close. He finished to-day with a reception to a section of the American colony at the embassy at 10 o'clock. He went to his bedroom before 11. To-morrow he will visit the zoo.

He started his day about 11 o'clock by going to Busch with one of the Burgomasters to inspect the Home for the Aged Poor. Later he took luncheon at the American Embassy. There were thirty-six guests. Among them were Count Zeppelin, the Cabinet Ministers and several captains of industry and leading bankers.

After the luncheon Col. Roosevelt arose and lifted his glass in a toast to the Kaiser. A little later Prince Carolath introduced the Interparliamentary Peace Committee of the Reichstag to the Colonel. Addressing the delegation Col. Roosevelt made his first and only speech since he has been in Berlin. It was the shortest he has made on his tour. He said:

"The general pacifist movement, with its Utopian and idealistic aims, is calculated to excite only the derision of serious men. Practical endeavors by practical men like yourselves, however, promise much for the future."

Dr. von Bothmann-Hollweg, the Imperial chancellor, had a private interview with the Colonel at the American Embassy at 4 o'clock.

At 5 o'clock there was a reception at the home of Lieutenant-Commander Belknap, the American naval attaché. It was given by Lieutenant-Commander Belknap and Capt. Sharple, the American military attaché, in order that the Colonel might meet some three hundred naval and military staff officers.

In the course of the reception the Colonel was presented on behalf of the Kaiser with a series of photographs of the review at Doberitz. These will be published hereafter in a large volume. Prof. Brandt on behalf of the German Shakespearean Society presented the Colonel with a scroll making him an honorary member of a "society which is the greatest tie between the German and English speaking peoples."

The Colonel dined privately with M. Cambon, the French Ambassador here, several conferences with Frank H. Kellogg, who was special counsel for the United States in several actions against trusts and special counsel for the Interstate Commerce Commission in the investigation of the Harriman railroads.

Mrs. Roosevelt, confirming the disposition to resemble his Kaiser, has told friends that she never realized the justice of the oft made comparison until now, when she has seen them talking, arguing, gesticulating and becoming enthusiastic in each other's company.

## PANIC OVER THE COMET.

Very Bad Weather Terrifies French Peasantry—Frenzied Fear in Italy.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—The damage caused by the storm all over the country is considerable. Reports of disasters to fishing fleets continue to come in from all points. At Lamoignon there is considerable anxiety, as there is Vienne-Gartempe and Brionne are overflowing. The peasants as well as the population of the provincial towns attribute the disaster to Halley's comet and are awaiting in mortal fear May 19, the date on which it is announced the comet will meet the earth.

ROME, May 13.—A despatch from Turin to the *Messaggero* says there is the greatest alarm among certain classes owing to the approach of Halley's comet to the earth. Many people who believe that the tail of the comet is composed of poisonous gases which will kill everything human and animal in its path have provided themselves with supplies of oxygen and bought several days supplies of provisions. They propose to lock themselves in their rooms until the danger has passed.

## MANILA CIGARS TO BE GOOD.

Only a Few Poor Ones Will Be Sent to the U. S. Hereafter.

Special Cable Dispatch to THE SUN.  
MANILA, May 13.—The Manila Tobacco Association, comprising all exporters, recently requested the Philippine Government to enforce compliance with a resolution adopted by the association against the exportation of cheap grades of cigars to the United States. The resolution was adopted by the association and the request made on the Government because of the recent slump in American sales.

The Government has decided to comply with the request of the manufacturers in this way: It will limit the exportation of low grade cigars to 15 per cent. of the total export and of medium grades to 20 or 30 per cent., while each exportation must contain at least 35 per cent. of high grades.

The manufacturers think that this intervention by the Government will prevent a repetition of the severe prejudice of American consumers against Manila cigars because of the flooding of the market with the inferior grades.

## The Minnehaha Towed to Falmouth.

Special Cable Dispatch to THE SUN.  
PENNA., May 13.—The Atlantic Transport line steamship Minnehaha, which went on Seal Rock, Scilly Islands, on April 18 and which was floated off yesterday, was towed to Falmouth this afternoon by three tugs. When the ship was floated off yesterday she proceeded under her own steam to a safe anchorage.

## Lady Cook Coming Here.

Special Cable Dispatch to THE SUN.  
LONDON, May 13.—Lady Cook, formerly Tennessee Clavin, will sail to-morrow for New York on the steamer Cedric.

## TAFT SHAKES 300 GIRLS' HANDS.

Yet It's Said Their Introduction Has Lost White House Popularity.

WASHINGTON, May 13.—Representative Moore of Pennsylvania, who is president of the Rivers and Harbors Congress and who hails from Philadelphia, is not nearly so popular at the White House as he once was. He walked briskly into the White House to-day, 300 young ladies of various degrees of prettiness and height and dress and other feminine attributes close behind him. He went clear through the building to Secretary Carpenter's office.

"Hello, Mr. Carpenter," said Mr. Moore. "I want to see the President for just a minute."

"All right," said the unsuspecting secretary, and Mr. Moore marched into the inner sanctum.

"How are you, Hamp?" cried Mr. Taft. "What can I do for you to-day?"

"I've got a few young ladies from Philadelphia—just a few, who want to shake hands with you."

"Bring 'em in," said the President.

So the 300 went in and shook hands, much to the amazement of Mr. Taft, who didn't expect more than a dozen at best, and much to the chagrin of Carpenter, who is supposed to put a stop to such waste of Executive time and through whom all "handshaking" appointments are supposed to be made. Mr. Moore is going to headquarters always hereafter.

## MCKRAKE YOUR OWN FIGHTER.

Chaplain Couden's Advice Given in the Form of a Prayer.

WASHINGTON, May 13.—The Rev. Henry N. Couden, the blind chaplain of the House of Representatives, took a shot at the muckrakers to-day in his opening prayer.

"Help us as individuals," he said, "to strive earnestly to cast out the beam from our own eye that we may see clearly to pull the mote out of our brother's eye. If we are to become muckrakers help us to take before our own door, and if we have time to help our neighbor. Since cant and hypocrisy are the muckrakers of all sins, deliver us, we pray Thee, from them."

Free Trade Congress in August.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—The international free trade congress, it is officially announced, will be held from August 9 to 12 at Antwerp. It will deal chiefly with treaties of commerce between the Powers.

## HUGE CHARITY CONCERT.

Metropolitan Management Arranging It in Paris—New Opera Deal.

PARIS, May 13.—The manager of the Metropolitan Opera House of New York has received so many requests for Caruso to sing in concerts for the benefit of charitable institutions that he has found it impossible to grant more than one authorization.

It is now announced that M. Astruc, the official representative in Paris of the Metropolitan Opera Company, has succeeded in bringing about a sort of trust among the different institutions and in this way a monster benefit concert will be given in the early part of June, in which will appear all the most prominent members of the company as well as other celebrities in the musical world in Europe. It is announced that the programme will beat anything ever given in Paris.

The National Opera House will be lent for the occasion. The price of stalls will be \$25 and of boxes \$200. It is expected that the net receipts will exceed \$20,000, which will be divided among the members of the charitable trust. Some of the money, however, will be employed to erect a monument to Beethoven.

Parkman B. Haven, the architect of the Boston Opera House, who was planning through Paris, has been called into consultation regarding the construction of a new Paris opera house on the right hand side of the Champs Elysees. The house is to be provided with all the newest American improvements and will be called the Champs Elysees Theatre.

It is rumored that there is a scheme on foot to run this house in connection with the Metropolitan of New York.

## "DAWN OF A TO-MORROW" WINS.

Gertrude Elliott Makes a Great Personal Hit—Audience Enthusiastic.

Special Cable Dispatch to THE SUN.  
LONDON, May 13.—Gertrude Elliott obviously scored a success at the Garrick Theatre to-night in the first London presentation of "The Dawn of a To-morrow." She fairly captivated the audience. She received innumerable curtain calls and much applause.

The pit and gallery were enthusiastic. London just now needs to be cheered by something, and "The Dawn of a To-morrow" promises to fill the need.

The critics, however, in no wise unanimously endorse the verdict given by the audience. The *Morning Post*, while admitting that the piece may create a sensation here, as it did in America, with unsophisticated, uncritical playgoers, declares that its religious element will not stand criticism. Its characters are quite unconventional and unreal.

The *Standard* allows that it has a fervent, inspiring motive and several impassioned, effective moments, but says it is tawdry and artificial.

The *Chronicle*, on the other hand, says: "It is a delightful and really touching Dickens play, all tatters and heartbeats and hope for human nature. If it had only been produced at any other time than during the national mourning it would have been sure of great popularity."

## Very Bad Weather Terrifies French Peasantry—Frenzied Fear in Italy.

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The panic in Turin has reached such a stage that the *Gazzetta di Torino* publishes an editorial to-day in which it pledges its honor that the comet will not destroy humanity.

## ALWAYS PROTESTED INNOCENCE.

But Frenchman Accused of Killing His Children Died a Convict.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—Briere, who in April, 1901, was sentenced to penal servitude for life for murdering his five children under atrocious circumstances, and who was sent to the penal settlement in French Guiana, died there to-day.

He always protested his innocence. Indeed there was a strong movement in France having for its object a revision of his trial.

## CAMORRIST TRIAL AT VITERBO.

Politics Figure in Change of Venue for Sicilian Conspirators.

Special Cable Dispatch to THE SUN.  
ROME, May 13.—The Supreme Court to-day decided to hold the trial of the Sicilian Camorristas at Viterbo, in this province, instead of here, where the Court House is too small.

The decision is generally attributed to expediency and the danger to the Crown from the Camorristas in Rome during the celebration of the anniversary of the proclamation of united Italy.

## \$4,000 FROM DELAGRANGE SALE.

Machine in Which the Noted Aviator Was Killed Brings Only \$100.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—The effects of Leon Delagrange, the aviator, who was killed by the fall of his machine a short time ago, were sold at auction to-day at the Hotel Drouot. There was a large attendance.

The machine in which Delagrange was killed sold for \$100. The sale realized a total of \$4,000.

## UNLUCKY DAY FOR HERVE.

Appellate Court Condemns French Anti-Militarist to Prison.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—The court to-day rejected the appeal of Herve, the anti-militarist leader, against the sentence of four years imprisonment passed upon him by the Assize Court on account of his defense of the Apache Liebauf, who was recently condemned to prison.

## FIFTH AVENUE PRESBYTERIAN CHURCH.

SERVICES AT 11 A. M. AND 4 P. M.

Rev. Charles C. Albion, D. D., of Rochester, N. Y., will officiate. Morning Subject: "The Faith." Afternoon Subject: "The Faith." Preparatory Lecture Friday evening at 8:15. STRAUSMAN ARE ORIGINALLY INVITED.

## CENTRAL PRESBYTERIAN CHURCH.

SERVICES AT 11 A. M. AND 4 P. M.

Rev. WILSON MERRILL SMITH, D. D., Pastor. Rev. G. H. Smyth, Jr., Assistant. Dr. Merie Smith preacher at 11 A. M. & 4 P. M. Evening Subject: "THE FAITH." (Cuba) Day Conference meeting Sunday morning at 9:45. Sunday School 3 P. M. Devotional Meeting Wednesday Eve. at 8 P. M. All welcome.

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## BUILDINGS FALL IN SAN JOSE

DAY OF SEVERE EARTHQUAKES IN COSTA RICA.

District Devastated Last Week Is Again Shaken—San Francisco Reports Tremors on Pacific Coast—Damage in Guatemala—Seismographs Busy East.

Special Cable Dispatch to THE SUN.  
PORT LIMEZ, May 13, via New Orleans.—Another terrific earthquake has shaken Costa Rica. Scores of dwellings crumbled in San Jose to-day. The tremor was felt here. It was marked by a low tidal wave.

Word comes from San Jose that the greatest shock was probably in the district swept last week. Teror has seized natives and whites here, driving many insane.

Students of the seismic disturbances here believe that the earthquake centered to the east, probably at sea, as indicated by the slight tidal wave.

Reports indicate great damage in Guatemala.

SAN FRANCISCO, May 13.—Earthquake shocks are reported from many sections of California this morning. The seismic disturbances were felt in Redlands, Riverside, Bakersfield and San Bernardino shortly before midnight. So far as known at this time no lives were lost and the property damage was not heavy. The first shock was a heavy one and it was quickly followed by slight tremors.

A despatch from Seattle said: "The seismograph at the University of Washington recorded a slight earth shock."

Prof. Henry A. Landes of the geologic department of the university, said that the tremor was a local disturbance apparently traveling in a line north and south. It was too slight to be perceptible but was plainly recorded by the instruments.

WASHINGTON, May 13.—An earthquake of moderate intensity was recorded on the seismographs of the Weather Bureau early this morning. The most complete record is shown on the instrument recording east and west motion. The preliminary tremors began at 8:15:28 A. M., 75th meridian time, and the principal portion of the disturbance began at 8:26:40.

The amplitude of the motion was only moderate during the whole disturbance, but was more prolonged than is usual with earthquakes of this degree of intensity. The characteristic phases of earthquake records are not clearly defined in the present case, but it is estimated that the disturbance was at a distance of from 2,000 to 2,500 miles. There is no indication as to the direction of the disturbance from Washington.

ALBANY, May 13.—Announcement was made to-day at the State Museum that the